

33rd AMENDED

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 26 1990
 Returned to applicant for correction JAN 25 1991
 Corrected application filed MAY 17 1991 Map filed APR 18 1991 under 55479

The applicant Rea C. and Carol L. Stonier
 Rt. 2, Box 20 of Round Mountain
Street and No. or P.O. Box No. City or Town
 Nv. 89045 hereby make application for permission to change the
State and Zip Code No.
Point of Diversion, Place of Use and Manner of Use of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit #48129
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed .1975 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-municipal & Landscaping
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals, etc.
- The water is to be diverted at the following point located in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 33,
Describe as being within a 40-acre subdivision of public survey and by course and
 distance to a section corner. If on unsurveyed land, it should be stated.
T 11 N, R 43 E, MDB&M; from said point the W $\frac{1}{4}$ corner of said Sec.
33 bears S 39° 39' 12" W a distance of 1364.97 feet.
- The existing permitted point of diversion is located within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 33, T 11 N,
If point of diversion is not changed, do not answer.
R 43 E, MDB&M or at a point from which the West $\frac{1}{4}$ corner of
aforesaid Sec. 33 bears S 16° 39' W a distance of 572 feet.
- Proposed place of use Portion of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 33, T 11 N, R 43 E,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
MDB&M. (Containing 3.90 acres)
- Existing place of use SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 33, T 11 N, R 43 E,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
 manner of use of irrigation permit, describe acreage to be removed from irrigation.
MDB&M.
- Use will be from Jan. 1st. to Dec. 31st of each year.
Month and Day Month and Day
- Use was permitted from Jan. 1st to Dec. 31st. of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.) Drilled well
State manner in which water is to be diverted, i.e. diversion structure,
 ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$5,000
- Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use two years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Six, two-family duplexes. This will be primary water source associated with 3.90 acres, Nye County F#155023, Parcel 3.

Lowell D. Emery, SWRS 536
By s/Lowell D. Emery
P. O. Box 84
Fallon, Nv. 89406

Compared cc/am jr/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 48129 is issued subject to the terms and conditions imposed in said Permit 48129 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 52081 and 55480 shall not exceed 4.38 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0525 cubic feet per second, but not to exceed 4.38 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 22, 1996

Proof of completion of work shall be filed before June 22, 1996

Application of water to beneficial use shall be made on or before May 22, 1998

Proof of the application of water to beneficial use shall be filed on or before June 22, 1998

Map in support of proof of beneficial use shall be filed on or before June 22, 1998

Completion of work filed JUL 20 1996

Proof of beneficial use filed JUL 31 2000

Cultural map filed _____

Certificate No. 15524 Issued AUG 25 2000

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 22nd day of May

A.D. 19 95

[Signature]
State Engineer